

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
MAURICE WALLACE

-V-

ORDER OF DISMISSAL
FOR LACK OF ACTIVITY,
ADOPTING REPORT & RECOMMENDATION

CV 08-4902 (JS) (WDW)

SUFFOLK CO.
-----X

APPEARANCES:

For Plaintiff:

Maurice Wallace, *Pro Se*
#419638
Suffolk Co. Correctional Facility
110 Center Dr.
Riverhead NY 11901

For Defendants:

Richard Dunne, Esq.
Suffolk Co. Attorney's Office
P.O. Box 6100
Hauppauge NY 11788

SEYBERT, DISTRICT JUDGE:

The above-captioned case was filed on Nov. 24, 2008. By this Court's Order dated Aug. 5, 2009 (docket entry [6]), three other actions were consolidated into it: CV 09-354, -355, and -1929.

In his Order dated Mar. 5, 2010 (docket entry [17]), Magistrate Judge William D. Wall directed the plaintiff to file a narrative statement by Mar. 31, 2010, or else Judge Wall would recommend dismissal. As the plaintiff did not do so, a Report & Recommendation was issued on Apr. 14, 2010 (docket entry [18]). There was no objection to the Report & Recommendation, so it is ADOPTED in its entirety.

IT IS HEREBY ORDERED that this case be dismissed without prejudice for lack of prosecution, pursuant to Rule 41(b), Federal Rules of Civil Procedure. The Clerk of Court is directed to mark the case closed.

SO ORDERED.

/s/ JOANNA SEYBERT

JOANNA SEYBERT
U.S. DISTRICT JUDGE

Dated: Central Islip, New York

June 2, 2010